

FILED 11 MAR 14 11:42 USDC-ORN

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TYRONE BLOCKER,

Plaintiff,

Civ. No. 10-1411-CL

v.

J. PREMO, SUPERINTENDENT,

Defendant.

ORDER

PANNER, District Judge:

Magistrate Judge Mark D. Clarke filed a Report and Recommendation, and the matter is now before this court. See 28 U.S.C. § 636(b)(1)(B), Fed. R. Civ. P. 72(b). Although no objections have been filed, this court reviews the legal principles *de novo*. See Lorin Corp. v Goto & Co., Ltd., 700 F.2d 1202, 1206 (9th Cir. 1983).

In November 2010, this court notified plaintiff that he must pay a filing fee or apply to proceed in forma pauperis. This court also advised plaintiff that the complaint failed to state a

claim and could be dismissed without service on defendant. Plaintiff has not paid the filing fee, applied to proceed in forma pauperis, or requested an extension of time. Accordingly, I ADOPT the Report and Recommendation of Magistrate Judge Clarke.

CONCLUSION

Magistrate Judge Clarke's Report and Recommendation (#4) is adopted. This action is dismissed without prejudice for failure to prosecute.

IT IS SO ORDERED.

DATED this 14 day of March, 2011.

A handwritten signature in black ink, reading "Owen M. Panner", written over a horizontal line.

OWEN M. PANNER
U.S. DISTRICT JUDGE